IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4045 OF 2006
IN
FIRST APPEAL STAMP NO.21772 OF 2006

Maharashtra State Road Transport Corporation .. Applicant

Vs.

Suresh Madanchand Modi .. Respondent

Mr.C.M.Lokesh i/b M/s.G.S.Hegde and Associates for the applicant

Mr.M.J.Bhatt for the respondent

CORAM : J.N.PATEL &
SMT.R.S.DALVI, JJ.

DATED : 2ND APRIL, 2007

P.C.:

1. The learned counsel for the applicants submits that the applicants have deposited the compensation awarded by the Tribunal which is challenged in this appeal. In the order passed by the Tribunal, the Tribunal has already directed a sum of Rs.12.0 lacs to be invested in the name of the applicant in any Nationalized Bank in Fixed Deposit for the period of 7 years and rest of the

amount be paid to the applicant by account payee cheque.

2. Out of the amount deposited i.e. other than the amount directed to be invested by the Tribunal i.e. out of the balance amount 50% of the amount is permitted to be withdrawn by the respondent claimant and 50% of the amount be invested in Fixed Deposit in any nationalised bank initially for a period of 7 years in the name of the respondent subject to further orders to be passed by this court. Needless to state that the entitlement of respondent to claim compensation would be subject to decision of the L.P.A. C ivil Application disposed of accordingly.

(SHRI J.N. PATEL, J)

(SMT. R.S.DALVI, J)